



# CITY OF FREMONT NEBRASKA

REGULAR CITY COUNCIL MEETING MINUTES  
June 08, 2021 - 7:00 PM  
City Council Chambers 400 East Military, Fremont NE

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## CITY COUNCIL REGULAR MEETING MINUTES

**MEETING CALLED TO ORDER** Following the Pledge of Allegiance, Mayor Spellerberg called the Council Meeting to order and stated that a copy of the open meeting law is posted continually for public inspection located near the entrance door by the agendas.

**ROLL CALL** Roll call showed Council Members Gibson, Ellis, Ganem, Yerger, Sookram, Legband, Kuhns, and Jensen present. 8 members present.

### **MAYOR COMMENTS**

*(There will be no discussion from the Council or the public regarding comments made by the Mayor. Should anyone have questions regarding the comments, please contact the Mayor after the meeting)*

1. Motion to adopt current agenda for the June 8, 2021 Regular Meeting. Motion made by Gibson, seconded by Jensen to adopt current agenda for the June 8, 2021 Regular Meeting. Voting Yea: Yerger, Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried.

**CONSENT AGENDA:** All items in the consent agenda are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member or a citizen so requests, in which event the item will be removed from the consent agenda and considered separately. Motion made by Yerger, seconded by Jensen to approve consent agenda items 4-5 and 8. Voting Yea: Yerger, Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried.

2. Motion to approve May 26, 2021 through June 8, 2021 claims and authorize checks to be drawn on the proper accounts. Motion made by Legband, seconded by Jensen to approve May 26, 2021 through June 8, 2021 claims and authorize checks to be drawn on the proper accounts. Voting Yea: Yerger, Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried.
3. Quarterly financial statements. Motion made by Kuhns, Seconded by Ganem to approve the quarterly financial statements. Voting Yea: Yerger, Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried.

4. Report of the Treasury
5. Dispense with and approve May 25, 2021 City Council and Special City Council Meeting Minutes
6. Motion authorizing the Mayor to sign agreement with IMA, Inc. for health insurance broker services. Motion made by Yerger, Seconded by Ganem to amend the motion language recommend by staff to insert for a one-year extension after the word agreement. Voting Yea: Yerger, Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson. Motion made by Jensen, Seconded by Legband to approve the amended motion. Voting Yea: Yerger, Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried.
7. Motion to approve change order with Houseal Lavigne for on site meetings  
Council Member Kuhns made a motion to approve the change order with Houseal Lavigne. Council Member Yerger made a motion to amend the motion on the floor to approve the Mayor to sign a change order to Resolution 2020-201 with Houseal Lavigne for on site vs. online meetings at the cost of \$14,040. With input from legal counsel, Council Member Yerger updated his motion: Motion to approve the Mayor to sign a change order to the contract approved in Resolution 2020-201 with Houseal Lavigne for three on site vs. online at a cost of \$14,040. Voting Yea: Yerger, Ellis, Sookram, Ganem, Gibson. Voting Nay: Jensen, Legband, Kuhns. Motion carried. Motion made by Legband, Seconded by Ganem to approve the motion as amended. Voting Yea: Yerger, Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried.
8. Resolution 2021-084 approving a Film Incentive Program Rebate (to be based upon actual local expenditures) to be awarded to Nate Johnson for a film production in Fremont, NE
9. Motion to renew service agreement with Eastern Nebraska Office on Aging at the Friendship Center. Motion made by Legband, seconded by Jensen to renew service agreement with Eastern Nebraska Office on Aging at the Friendship Center. Voting Yea: Yerger, Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried.

**UNFINISHED BUSINESS:** Requires individual associated action

10. Ordinance 5575 to approve an amendment to the Bluestem Commons Planned Development (final reading). Motion made by Jensen, Seconded by Sookram to hold final reading of the Ordinance. Voting Yea: Yerger, Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried. City Clerk provided final reading of the Ordinance. Mayor Spellerberg called for a final vote on the Ordinance. Voting Yea: Yerger, Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson. Ordinance 5575 is approved.

**NEW BUSINESS:** Requires individual associated action

11. Motion authorizing City staff to sign amendment to the Wholestone Wastewater Services Agreement. Motion made by Yerger, seconded by Ellis to continue the item. Voting Yea: Yerger, Ellis, Legband, Sookram, Ganem Voting Nay: Jensen, Kuhns, Gibson. Motion carried.
12. Motion authorizing City staff to sign contract with Thompson Construction Inc. for Roadway Subdivision Water System. Motion made by Yerger, seconded by Ellis to

append the contract with the next sequential Resolution number, and in the first whereas statement insert "and duly awarded a low bid contract to the contractor". Voting Yea: Yerger, Ellis, Ganem, Gibson Voting Nay: Jensen, Legband, Kuhns, Sookram. Motion failed. Motion made by Jensen, Seconded by Legband to authorize staff to sign the contract. Voting Yea: Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson Voting Nay: Yerger. Motion carried.


13. Motion authorizing City staff to sign contract with Eriksen Construction for Wastewater Treatment Plant improvements. Motion made by Legband, seconded by Jensen to authorize City staff to sign contract with Eriksen Construction for Wastewater Treatment Plant improvements. Voting Yea: Yerger, Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried.
14. Resolution 2021-085 to approve "Preliminary Plans, Specifications, and Estimates (PS&E)", for the Fremont, Rawhide Trail Project, and authorizing Mayor to sign Resolution as provided by the State. Motion made by Jensen, Seconded by Kuhns to approve Resolution 2021-085. Voting Yea: Yerger, Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried.
15. Motion to approve contract for roof repairs at Police Station with Apple Roofing Motion made by Legband, Seconded by Kuhns to approve contract for roof repairs at Police Station with Apple Roofing. Voting Yea: Yerger, Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried.
16. Ordinance 5576 to amend Section 3-231 Sanitary Sewer Service (request to suspend rules and move to final reading). Motion made by Yerger, Seconded by Legband to amend the Ordinance to add at the end of 2020 "provided construction was commenced within 180 days after obtaining the building permit and diligently completed". Voting Yea: Yerger, Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried. Motion made by Legband, Seconded by Sookram to introduce and hold first reading of the Ordinance as amended. Voting Yea: Yerger, Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried. City Clerk provided first reading of the Ordinance. Motion made by Jensen, Seconded by Sookram to suspend the rules and hold final reading of the Ordinance as amended. Voting Yea: Yerger, Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried. City Clerk provided final reading of the Ordinance. Mayor Spellerberg called for a final vote on the Ordinance as amended. Voting Yea: Yerger, Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson. Ordinance 5576 is approved.
17. Closed session to discuss potential property purchase. Moved by Jensen, seconded by Legband to go into executive session to discuss potential property purchase and for the further reason that the executive session is necessary for the protection of the public interest and asked for discussion. The Mayor stated that the pending motion was to go into executive session for potential property purchase and for the further reason that the executive session is necessary for the protection of the public interest. Voting Yea: Gibson, Ganem, Jensen, Sookram, Yerger, Ellis, Legband and Kuhns. Motion carried. The Mayor stated that the motion to go into executive session for discussing potential property purchase and for the further reason that the executive session is necessary for the protection of the public interest had been approved. Discussion will be limited to discussing potential property purchase. No official actions or votes will be taken during the executive session. Time in: 9:15 p.m. Moved by Jensen, seconded by Sookram to come out of executive session where no official actions or votes were taken. Voting Yea: Yerger,

Ellis, Gibson, Jensen, Legband, Sookram, Ganem. Kuhns. Motion carried. Time out: 9:50 p.m.

**ADJOURNMENT** Motion made by Sookram, seconded by Ganem to adjourn; time: 9:51 P.M.  
Voting Yea: Yerger, Ellis, Gibson, Legband, Ganem, Sookram, Jensen. Kuhns. Motion carried.

Agenda posted at the Municipal Building on June 2, 2021 and online at [www.fremontne.gov](http://www.fremontne.gov). Agenda distributed to the Mayor and City Council on June 2, 2021. This meeting is preceded by publicized notice in the Fremont Tribune on the last Thursday of the preceding month and the agenda, including any notice of study session or public hearing, is displayed in the Municipal Building and is open to the public. The official current copy is available at City Hall, 400 East Military, City Clerk's Office. The City Council reserves the right to go into Executive Session at any time. A copy of the Open Meeting Law is posted in the City Council Chambers for review by the public. The City of Fremont reserves the right to adjust the order of items on the agenda.

APPROVED AND ACCEPTED AS THE OFFICIAL COPY OF THE FREMONT, NEBRASKA  
Regular City Council Meeting Minutes for June 8, 2021.

  
Tyler Ficken, City Clerk

  
Joey Spellerberg, Mayor